

FRANCIS J. GIAMBALVO
FGIAMBALVO@GRSM.COM

GORDON & REES
SCULLY MANSUKHANI
YOUR 50 STATE PARTNER™

ATTORNEYS AT LAW
1 BATTERY PARK PLAZA, 28TH FLOOR
NEW YORK, NY 10004
WWW.GRSM.COM

MEMO ENDORSED

February 18, 2021

VIA ECF

Honorable Katherine Polk Failla, U.S.D.J.
United States District Court for the Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Re: *Sierra v. Renue Systems of NY-NJ, LLC, et al*
Civil Action No. 1:20-cv-00399 (KPF) (DF)

Dear Judge Failla:

The undersigned is counsel for Defendants, Renue Systems of NY-NJ, LLC and Justin Chodos (“Defendants”) in the above-referenced matter. The parties jointly request an adjournment of the settlement conference scheduled for February 19, 2021 at 10:00 a.m. This is the parties’ first request for an adjournment of the settlement conference.

The parties have reached an agreement in principle on all of the material terms of the settlement subject to execution of a formal written settlement agreement. Since the parties have reached a settlement agreement in principle, the parties do not believe a settlement conference before Your Honor is necessary. The parties also plan to submit a motion for court approval of the settlement and the settlement agreement for court approval in short order.

Accordingly, the parties request that the settlement conference be adjourned for three (3) weeks, until March 12, 2021, or a date thereafter that is convenient for the court. Defendants, with Plaintiffs consent, also request that their deadline to file a response to the Complaint be extended until April 1, 2021. The parties are hopeful they will be able to submit a motion for court approval of the settlement prior to March 12, 2021, which would obviate the need for a conference.

We thank the Court for its consideration of this correspondence and the foregoing request.

Respectfully submitted,
GORDON REES SCULLY
MANSUKHANI LLP

Francis J. Giambalvo
Francis J. Giambalvo

cc: All Counsel of Record (via ECF)

Application GRANTED. The conference scheduled for February 19, 2021, is hereby ADJOURNED to March 18, 2021, at 11:00 a.m. Defendants' response to the Complaint is due on or before April 1, 2021.

Dated: February 18, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE